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WTTW11 - 98.7 WFMT

Daniel J. Schmidt President & Chief Executive Officer

July 7, **DOCKET FILE COPY ORIGINAL**

VIA HAND DELIVERY

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Marlene H. Dortch
Secretary
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, D.C. 20554

JUL 12 2005

Federal Communications Commission
Office of Secretary

Re: **Nextel/MSTV/NAB Request for Declaratory Ruling**
WT Docket No. 02-55; ET Docket Nos. 00-258 & 95-18

Dear Ms. Dortch:

Window to the World Communications, Inc., licensee of noncommercial educational television station WTTW, Chicago, Illinois ("WTTW") hereby notes its strong support for the Request for Declaratory Ruling ("Request") filed June 20, 2005 by Nextel Communications, Inc. ("Nextel"), the Association for Maximum Service Television, Inc. ("MSTV"), and the National Association of Broadcasters ("NAB") (collectively, the "Petitioners"), seeking a declaratory ruling, or, alternatively, clarification, that:

- (1) Nextel will receive credit in the 800 MHz Public Safety proceeding "true-up" process for funding the relocation of Broadcast Auxiliary Service ("BAS") operators licensed pursuant to applications filed after June 26, 2000 but before November 23, 2004; and
- (2) BAS licensees will not be entitled to reimbursement for the cost of relocating incremental equipment purchased after November 22, 2004, except in certain circumstances enumerated in the Request.

The Request makes reference to WTTW as an example of a station having applied for and received a BAS license in the applicable time period, using that station for important communications purposes, being hard-pressed to fund conversion of the BAS station facilities on its own, and therefore lacking incentive to undertake any early or coordinated frequency conversion arrangement relating to the BAS station.

The Request fairly characterizes WTTW's circumstances. WTTW is licensee of TV Pickup Station WPTQ550, licensed to operate in the 2 GHz band in the Chicago area. WTTW filed its application for the station on September 21, 2000. The application was granted by the FCC on November 26, 2001. The station is used for electronic news

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gathering pickups on a regular and active basis for WTTW's live one-hour news and public affairs program *Chicago Tonight*, aired each Monday through Thursday. The station is also used for remote production feeds for a variety of local events such as concerts, plays, town hall meetings and political debates.

While WTTW has one other TV Pickup station in the 7 GHz band, the WPTQ550 station in the 2 GHz band often offers the only workable frequency due to path lengths and building obstructions in the Chicago area. Also, WTTW regularly has the need for more than one frequency for TV Pickup use to accommodate multiple location feeds for programs.

WTTW's original investment in WTPQ550 was over \$175,000. WTTW estimates that, at this time, it would cost over \$285,000 to convert the station to operate under the new channelization plan, a cost that would cause WTTW great hardship, given its noncommercial, non-profit status and the investment that has been and is being required of WTTW in connection with the conversion to digital television. If WTTW were forced to terminate its operations on WTPQ550, even temporarily, its programming would suffer greatly. WTTW therefore has no incentive whatsoever to cooperate, at its own expense, to meet the March 4, 2006 coordinated conversion timetable for Chicago.

WTTW strongly supports the Request which, if granted by the FCC, would credit Nextel for its costs in relocating and converting post-June, 2000 BAS licensees and enable Nextel to work with BAS licensees such as WTTW to effectuate an early and coordinated transition in the band.

Should any questions arise concerning this matter, kindly the undersigned.

Respectfully submitted,

WINDOW TO THE WORLD
COMMUNICATIONS, INC.

By: 

Dan Schmidt

Title: President and CEO

cc Geraldine Matise, FCC
Michael Wilhelm, FCC
Lawrence R. Krevor, Nextel
David Donovan, MSTV
Marsha J. McBride, NAB